

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

DEAN C. BOYD

PLAINTIFF

CAUSE NO. 4:22-CV-00010-NBB-DAS

**DEWAYNE COLLIER and
REGINALD BOOKER**

DEFENDANTS

THIRD PROCESS ORDER

The court has reviewed the complaint in this case and found that process should issue for Defendants. The initial attempt at serving the defendant formerly identified as “C.N.A. Reginald” proved unsuccessful. Consequently, the Court recently entered a Second Process Order directing a second attempt at service of process on said defendant. *See* Doc. # 23. Since that Order, however, Plaintiff advised the Court that the defendant’s full name is “Reginald Booker”, and the Court entered an Order amending the defendant’s name accordingly. *See* Doc. #s 28, 29. Due to these recent developments, the Court finds it necessary to enter one *final* process order directing one *final* attempt to serve the correct defendant, Reginald Booker.

It is, therefore, **ORDERED:**

(1) The clerk of the court will issue process for Reginald Booker, along with a copy of this order and the order permitting the plaintiff to proceed *in forma pauperis*. *The United States Marshal Service will serve process upon this defendant under to 28 U.S.C. § 1915(d), using good faith efforts to identify and locate the proper person and obtain service by all approved alternative means as provided by F.R.Civ.P. 4 and Miss.R.Civ.P. 4 if service by mail is unsuccessful.* If the defendant is located in another state, the Marshal Service must obtain service by that state’s law governing service of process.

(2) A scheduling order will be issued once the defendants have answered; the plaintiff may not submit any discovery requests until the scheduling order has been entered.

(3) In the event any damages or other moneys become payable to or for the benefit of the plaintiff as a result of this litigation, whether by way of satisfaction of a judgment, compromise settlement, or otherwise, the plaintiff remains liable to the United States for the reimbursement of all court costs, fees and expenses which he has caused to be incurred in the course of this litigation, and the United States will have a lien against any damages or other moneys until the United States has been fully reimbursed for those court costs, fees and expenses by payment of them into the court.

(4) The plaintiff must acknowledge receipt of this order by signing the enclosed acknowledgment form and returning it to the court within fourteen (14) days of this date.

(5) The plaintiff's failure to keep the court informed of his current address or to comply with the requirements of this order may lead to dismissal of his lawsuit under Fed. R. Civ. P. 41(b), for failure to prosecute and failure to comply with an order of the court.

SO ORDERED, this the 4th day of May, 2022.

/s/ David A. Sanders
DAVID A. SANDERS
UNITED STATES MAGISTRATE JUDGE